

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA)
)
)
) Case No. 1:05CR00076
)
v.)
)
)
)
DERON FITZGERALD JONES,) **ORDER**
)
) By: James P. Jones
) United States District Judge
)
)
Defendant.)

For the reasons set forth in the Opinion accompanying this Final Order, it is
ORDERED that the Motion to Dismiss (ECF No. 338) is GRANTED; the
defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28
U.S.C.A. § 2255 (ECF No. 330) is DENIED; and the § 2255 proceeding is stricken
from the active docket of the court.

Based upon the court's finding that the defendant has not made the
requisite showing of denial of a substantial right, a certificate of appealability is
DENIED.

ENTER: September 20, 2013

/s/ James P. Jones
United States District Judge